

**KLAAS, LAW, O'MEARA & MALKIN, P.C.**

ATTORNEYS &amp; COUNSELORS

WILLIAM P. O'MEARA  
 JAY K. MALKIN  
 MICHAEL A. GOODWIN  
 NELLIE C. KAUFMAN  
 GUY K. CLINGER  
 ROBERT W. NELSON  
 JOSEPH J. KELLY (OF COUNSEL)  
 BRUCE G. KLAAS (OF COUNSEL)  
 RICHARD D. LAW (1919-1981)  
 STEPHEN B. KATSAROS\*  
 \*(REGISTERED PATENT AGENT)

1999 BROADWAY, SUITE 2225  
 DENVER, COLORADO 80202  
 TELEPHONE (303) 298-9888  
 FACSIMILE (303) 297-2266  
 E-MAIL: KLAASLAW@WORLDNET.ATT.NET

PATENTS  
 TRADEMARKS  
 COPYRIGHTS  
 LICENSES  
 TRADE SECRETS  
 UNFAIR COMPETITION  
 INFRINGEMENTS  
 SEARCHES

**RECEIVED**  
**CENTRAL FAX CENTER**

MAR 31 2004

**OFFICIAL**

DATE: March 31, 2004

TIME: 3:30pm

**PLEASE DELIVER THE FOLLOWING PAGES TO:**NAME: Examiner Tri M. Mai  
 Group Art Unit 3727**FAX NO.:** (703) 872-9306**LOCATION:** U.S. Patent and Trademark Office**FROM:** Michael A. Goodwin, Esq. - KLAAS, LAW, O'MEARA & MALKIN, P.C.**RE:** U.S. Patent Application Serial No. 09/972,575  
 Our Ref.: PP 5.78(a) CVL**TOTAL NO. OF PAGES** (Including Transmittal Sheet) -41-**IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL IMMEDIATELY.**OFFICE: (303) 298-9888                           **FAX:** (303) 297-2266

**COMMENTS:** Please find attached the following documents: Transmittal Form, Fee Transmittal for FY 2004 (in duplicate) and Response to Office Action Mailed December 31, 2003 (37 pages).

**CONFIDENTIALITY NOTICE**

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message solely to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately via telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you.

PTO/SB/21 (05-03)

Approved for use through 04/30/2003, OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

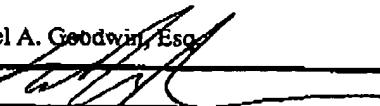
(to be used for all correspondence after initial filing)

	Application Number	09/972,575	
	Filing Date	October 5, 2001	
	First Named Inventor	Joseph C. Walsh et al.	
	Art Unit	3727	
	Examiner Name	Tri M. Mai	
Total Number of Pages in This Submission	40	Attorney Docket Number	PP 5.78(a) CVL

**ENCLOSURES (Check all that apply)**

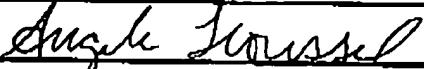
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Michael A. Gedwin, Esq.
Signature	
Date	March 31, 2004

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office to Fax No. 703-872-9306 on the date shown below.

Typed or printed name	Angela Troussel
Signature	
Date	March 31, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL

## for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)-0-

## Complete If Known

Application Number	09/972,575
Filing Date	October 5, 2001
First Named Inventor	Joseph C. Walsh
Examiner Name	Tri M. Mai
Art Unit	3727
Attorney Docket No.	PP 5.78(a) CVL

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number: 11-1150  
Deposit Account Name: Klaas, Law, O'Meara & Malkin, P.C.

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee			
1002 330	2002 165	Design filing fee			
1003 520	2003 280	Plant filing fee			
1004 750	2004 375	Reissue filing fee			
1005 160	2005 80	Provisional filing fee			
SUBTOTAL (1) (\$)-0-					

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
18	-27" = 0	(\$18.00)	
Independent Claims 6	- 6" = 0	(\$84.00)	
Multiple Dependent			

Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 64	2204 42	" Reissue independent claims over original patent
1205 18	2205 9	" Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)-0-		

\*or number previously paid, if greater. For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath			
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet			
1053 130	1053 130	Non-English specification			
1812 2,520	1812 2,520	For filing a request for ex parte reexamination			
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action			
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action			
1251 110	2251 55	Extension for reply within first month			
1252 410	2252 205	Extension for reply within second month			
1253 930	2253 465	Extension for reply within third month			
1254 1,450	2254 725	Extension for reply within fourth month			
1255 1,970	2255 985	Extension for reply within fifth month			
1401 320	2401 160	Notice of Appeal			
1402 320	2402 160	Filing a brief in support of an appeal			
1403 280	2403 140	Request for oral hearing			
1451 1,510	1451 1,510	Petition to institute a public use proceeding			
1452 110	2452 55	Petition to revive - unavoidable			
1453 1,300	2453 650	Petition to revive - unintentional			
1501 1,300	2501 650	Utility issue fee (or reissue)			
1502 470	2502 235	Design issue fee			
1503 630	2503 315	Plant issue fee			
1460 130	1460 130	Petitions to the Commissioner			
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)			
1808 180	1806 180	Submission of Information Disclosure Stmt			
8021 40	8021 40	Recording each patent assignment per property (times number of properties)			
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))			
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))			
1801 750	2801 375	Request for Continued Examination (RCE)			
1802 900	1802 900	Request for expedited examination of a design application			
Other fee (specify)					
Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) (\$)-0-					

SUBMITTED BY (Complete if applicable)

Name (Print/Type)	Michael A. Goodwin, Esq.	Registration No. (Attorney/Agent)	32,697	Telephone (303) 298-9888
Signature			Date	March 31, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete. Including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

PAGE 4/41 \* RCV'D AT 3/31/2004 5:32:58 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/1 \* DNI:8729306 \* CSID:303 297 2266 \* DURATION (mm:ss):09:58

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

In Re Application of : )  
Joseph C. Walsh, et al. )  
Serial No.: 09/972,575 ) Group Art Unit: 3727  
Filed: October 5, 2001 ) Examiner: Tri M. Mai  
For: CARTON BLANK, CARTON ) Atty Dkt. PP 5.78(a)CVL  
AND METHOD OF FORMING )  
THE CARTON )

MAR 31 2004

OFFICIAL

RESPONSE TO OFFICE ACTION MAILED DECEMBER 31, 2003

To: Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This is in response to the Office action mailed December 31, 2003, in  
the above-referenced application. Please amend the application as follows.